

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: OHNOGI et al
Appln. No. 09/890,875
Date Filed: August 7, 2001
For: REMEDIES



Art Unit: 1617
Examiner: S.Hui
Washington, D.C.
Atty.'s Docket: OHNOGI=1

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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1617

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Corres. and Mail Date: September 26, 2002
BOX AF Confirmation No. 9130

Sir:

Transmitted herewith is a [X] REPLY TO FINAL ACTION: AMENDMENT AND REMARKS in the above-identified application.

- [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
[] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
[] No fee is required.

The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|---|---|-------|---------------------------------------|----------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA EQUALS |
| TOTAL | * | MINUS | ** 20 | 0 |
| INDEP. | * | MINUS | *** 3 | 0 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | |

| SMALL ENTITY | | OR | OTHER THAN SMALL ENTITY | |
|----------------------|-------------------|----|-------------------------|-------------------|
| RATE | ADDITIONAL FEE | | RATE | ADDITIONAL FEE |
| x 9 | \$ | | x 18 | \$ |
| x 42 | \$ | | x 84 | \$ |
| + 140 | \$ | | + 280 | \$ |
| ADDITIONAL FEE TOTAL | | | TOTAL | \$ |

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
[] Second - \$ 200.00
[] Third - \$ 460.00
[] Fourth - \$ 720.00

Month After Time Period Set

- [] Less fees (\$) already paid for month(s) extension of time on .

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$400.00.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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ATTY.'S DOCKET: OHNOGI=1

) Art Unit: 1617

) Examiner: S. Hui

) Washington, D.C.

) Confirmation No. 9130

) September 26, 2002

REPLY TO FINAL ACTION: AMENDMENT AND REMARKS

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

Replying to the Final Office Action of May 7, 2002,
petition for two month's extension of time and late fee being
attached hereto, please amend as follows:

IN THE CLAIMS

Delete claims 4 and 5 in favor of the remaining claims, and without prejudice.

Amend claims 6-8 as follows:

~~22 Sub~~ 6. (Amended) A method for enhancing growth factor production, the method comprising administering a composition containing, as an active ingredient, a compound selected from the group consisting of 4,5-dihydroxy-2-cyclopenten-1-one of formula (I):

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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
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